

APPENDIX: SUMMARY OF J. NAJVAR TIME INCURRED BY PHASE OF CASE

PHASE	HOURS REQUESTED	HRS X \$400
TRIAL COURT		
(1) Investigation through filing complaint and mtn. for TRO (6/11/19 – 6/24/19) ¹	28.7	\$11,473.33
(2) Through TRO hearing (6/25/19 – 7/1/19) ²	30.7	\$12,273.34
(3) Merits phase (7/03/19 – 8/27/19) ³	6.3	\$2,526.67
(4) Through Rule 59(e) motion challenging sua sponte dismissal (9/6/19 – 10/9/19) ⁴	23.5	\$9,386.66
(5) Reply in support of Rule 59(e) motion	2.0	\$806.67

¹ Invoice 1315 (revised to current rate of \$400/hr)

² Invoice 1315

³ Invoice 1315

⁴ Invoice 1401

	91.1	Total 1-5: \$36,466.67
MERITS APPEAL		
(6) Notice of appeal (merits) and CA5 mediation process (11/5/19 – 12/19/19) ⁵	4.7	\$1,860.00
(7) Merits Appeal – Brief & Reply (01/24/20 – 05/08/20) ⁶	49.3	\$19,700.01
(8) After briefing, through oral argument (10/01/20 – 10/07/20)	13.3	\$5,300.00
(9) Following oral argument, reviewing panel decision and discuss with client ⁷	1.1	\$453.33
(10) Merits Appeal – En Banc Rehearing (10/29/20 – 01/13/21) ⁸	23.6	\$9,426.66
	91.9	Total 6-10: \$36,740.00

⁵ Invoice 1401

⁶ Invoice 1401

⁷ Invoice 1401 p. 7.

⁸ Invoice 1422

MERITS ON REMAND		
(11) Thru motion for leave to file Second Amd. Compl (2/1/21 – 4/2/21) ⁹	16.3	\$6,526.67
(12) Merits briefing (Plfs' MSJ; Response to Defendants' Amd. MTD/MSJ), discovery, etc. (4/6/21 - 12/15/21) ¹⁰	85.7	\$34,279.99
(13) Supplemental response to City's supplemental response per J. Rosenthal order (1/3/22 – 1/21/22) ¹¹	21.3	\$8,526.67
(14) Preparation/attend Zoom hearing on dispositive motions (1/24/2 – 1/25/22) ¹²	8.6	\$3,453.33
(15) Prepare response to City's post-hearing letter (<i>response not filed</i>) (1/27/22 – 2/3/22) ¹³	0	\$0.0
(16) After MSJ order: attempt negotiations w/ City for amended ordinance and final judgment; draft proposed judgment ¹⁴	8.3	\$3,306.67
	140.2	Total 11-16: \$56,093.33

⁹ Invoice 1565 p. 1-3.

¹⁰ Invoice 1565

¹¹ Invoice 1565 p. 9.

¹² Invoice 1565 p. 10.

¹³ Invoice 1565 p. 10

¹⁴ Invoice 1656 p. 10-12.

TRO FEE REQUEST (DIST. CT. & APPEAL)		
(17) Fee request – TRO phase (8/28/19 – 11/12/19) ¹⁵	7.8	\$3,106.67
(18) Fee request – TRO phase (through reply) (11/06/19 – 12/09/19) ¹⁶	3.9	\$1,546.67
(19) Fee Appeal – Mtn. to Stay/Negotiations/Research (06/22/20 – 07/30/20) ¹⁷	13.6	\$5,440.02
(20) Fee Appeal – thru response to City’s MTD appeal and brief (4/9/21 – 4/21/21) ¹⁸	7.0	\$2,826.67
(21) Fee Appeal (5/18/21 – 5/21/21) ¹⁹	0.9	\$353.33
	33.1	Total 17-21: \$13,273.36
TOTALS	<u>356.4</u>	<u>\$142,573.36</u>

¹⁵ Invoice 1315

¹⁶ Invoice 1342

¹⁷ Invoice 1401 p. 6.

¹⁸ Invoice 1565 p. 4.

¹⁹ Invoice 1565 p. 5.